

Exhibit 10

1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

SHADEESHA BROWN and GABRIEL PEREZ,

PLAINTIFFS,

-against- Case No.: 11CV1068(PKC)

THE CITY OF NEW YORK, BRIAN McALEAR, KEITH
HOCKADAY, FREDERICO MARTINEZ, JOAQUIN
MORALES, ROBERT DOWNS, THOMAS ALBANO, GERARD
FLOOD, WILLIAM HART, TIMOTHY MURPHY,
KENYETTA ROUSE, and THOMAS LONGA,

DEFENDANTS

-----X

DATE: February 3, 2012

TIME: 10:57 a.m.

EXAMINATION BEFORE TRIAL of a
Defendant, KENYATTA ROUSE, taken by the
Plaintiffs, pursuant to a Court Order and to
the Federal Rules of Civil Procedure, held
at the office of MICHELSTEIN & ASSOCIATES,
PLLC, 485 Madison Avenue, New York, New York
10022, before a Notary Public of the State
of New York.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ROUSE

76

Q. We are talking about 2010.

A. I never heard of that, clear the premises.

Q. Would you describe what you do in an execution or assisting in the execution of a search warrant, in securing the premises?

MR. HASKINS: Objection.

A. Securing? What do you mean by "Securing"?

Q. How would you characterize what you do?

MR. HASKINS: Objection. Do you mean for a profession, do you mean on a specific day?

Q. I am talking about your procedure in entering an apartment. What do you call that?

A. Entering an apartment, executing a warrant.

Q. How much time would it take an ESU unit to execute a search warrant in a three-bedroom apartment?

MR. HASKINS: Objection.

ROUSE

77

1
2 A. Um, it depended, if there is
3 variables, meaning dogs, animals,
4 encountering vicious dogs, but there is no
5 variables in play, it could be anywhere from
6 five to ten minutes. It is very quick, we
7 do a primary search and then we do a
8 secondary search, and then we exit the
9 apartment.

10 Q. What is done in the primary
11 search?

12 A. People immediately get cuffed,
13 persons that we visually see, and then we
14 search other areas that people could be
15 hiding and be secreted, for example
16 underneath beds, behind couches, in closets
17 in refrigerators.

18 Q. Is that the secondary or is that
19 the primary search?

20 A. Some of it, depending on the
21 actual officer it may be some of their
22 primary. But usually once every person is
23 cuffed we kind of slow down, and in a sense
24 every one is cuffed, so the safety factor in
25 regard us, of anyone getting hurt, we do